

REMARKS

Claims 1-29 are all of the pending claims. Claims 1, 7, 9, and 16 are independent claims.

Allowable Subject Matter

The Examiner has indicated that dependent claims 19-22 would be allowable if rewritten in independent from including all of the recitations of the base claim and any intervening claims. Applicant, however, holds in abeyance the rewriting of these claims until the Examiner has had a chance to consider the remarks below with respect to independent claim 16.

Claim Rejections Under 35 U.S.C. § 102 and §103

Claims 1, 3, 5-9, 11, 13-18, and 23 to 25 are rejected under 35 U.S.C. §102 (e) as being allegedly anticipated by U.S. Patent No. 6,212,555 to Brooks, Jr. et al. (hereinafter "Brooks"). Claims 2, 4, 10, 12, 28, and 29 are rejected under 35 U.S.C. §103 (a) as being allegedly unpatentable over Brooks in view of U.S. Patent No. 6,147,938 to Ogawa et al (hereinafter "Ogawa"). Claims 26 and 27 are rejected under 35 U.S.C. §103 (a) as being allegedly unpatentable over Brooks.

Independent Claim 1

With respect to independent claim 1, Applicant respectfully requests that the Examiner withdraw the rejection at least because Brooks does not teach or suggest the claimed audio information reproducing apparatus in which the obtaining device obtains the reproduction control information generated by the generating apparatus on the basis of the transmitted correspondence information from the transferring device, and the controlling device controls the

reproduction manner of the reproducing device in accordance with the obtained reproduction control information.

That is, Brooks does not teach or suggest that the reproduction manner is controlled in accordance with obtained reproduction control information that is generated on the basis of the transmitted correspondence information indicating a content of each of the plurality of unit information.

In Brooks, the information received by the audio receiver/player device (6) is merely music or voice data, and cannot be considered reproduction control data. *See Brooks* at 1:51-53. The music or voice data stored in the data storage component means (12) may be replaced with new data when the listening desires of the consumer change. *See Brooks* at 3:56-65. The audio receiver/player device (6) is provided with a readable/writable storage mechanism (13) that will replace or write over (14) the old data file (15) with one or more new ones (16), until the data storage device is fully loaded. *See Brooks* at 3:62-65.

However, there is no disclosure in Brooks that the music or voice data is reproduced in a controlled reproduction manner based on reproduction control information that is generated on the basis of transmitted information.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of amended, independent claim 1.

Independent claims 7, 9, and 16

With respect to independent claim 7 and 9, Applicant respectfully requests that the Examiner withdraw the rejection for the reasons discussed above with respect to independent claim 1. That is, Brooks does not teach or suggest the claimed movable body or audio

information reproduction controlling system in which a controlling device controls the reproduction manner of the reproducing device in accordance with the obtained reproduction control information.

With respect to independent claim 16, Applicant respectfully requests that the Examiner withdraw the rejection at least because Brooks does not teach or suggest the claimed reproducing apparatus in which a control circuit controls a reproduction of the plurality of audio information from a memory based on control information being generated externally to the reproducing apparatus based on identifying information. That is, there is no disclosure in Brooks that the music or voice data is reproduced in a controlled reproduction manner based on externally generated reproduction control information. As discussed above with respect to claim 1, in Brooks, the information received by the audio receiver/player device (6) is merely music or voice data.

Dependent Claims

Applicant respectfully requests that the Examiner withdraw the rejection of dependent claims 3, 5, 6, 8, 9, 11, 13-15, 17, 18, and 23-27 at least because of their dependency from one of independent claims 1, 7, 9, and 16.

Finally, Applicant respectfully requests that the Examiner withdraw the rejection of dependent Claims 2, 4, 10, 12, 28, and 29 at least because of their dependency from one of claims 1, 9, and 16, and because Ogawa, which was cited by the Examiner as showing a display and display information data, does not make up for the deficiencies in Brooks discussed above.

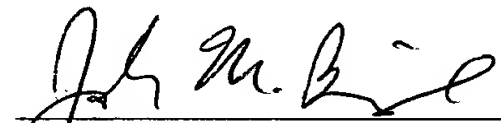
AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Appln. No. 09/725,809

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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